

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

Emergent Fidelity Technologies Ltd,

Debtor.¹

)

) Chapter 11

)

) Case No. 23-10149 (JTD)

)

) **RE: D.I. 56**

)

**FIRST SUPPLEMENTAL DECLARATION OF
CRAIG A. WOLFE IN SUPPORT OF THE EMERGENT
DEBTOR'S APPLICATION FOR ORDER AUTHORIZING RETENTION AND
EMPLOYMENT OF MORGAN, LEWIS & BOCKIUS LLP AS ATTORNEYS
FOR THE EMERGENT DEBTOR EFFECTIVE AS OF THE PETITION DATE**

Craig A. Wolfe, pursuant to 28 U.S.C. § 1746, hereby declares under penalty of perjury as follows:

1. I am a partner in the Bankruptcy and Restructuring practice at Morgan, Lewis & Bockius LLP ("Morgan Lewis"), an international law firm of more than 2,000 attorneys. I am resident in our New York office located at 101 Park Avenue, New York, NY 10178.

2. Unless otherwise stated, I have personal knowledge of the facts set forth in this declaration.

3. I submit this first supplemental declaration to provide additional disclosures in furtherance of those set forth in my original declaration, dated March 3, 2023 ("Declaration"), filed in support of the Emergent Debtor's *Application for Entry of an Order Authorizing the Retention and Employment of Morgan, Lewis & Bockius LLP as Attorneys for the Debtor Effective as of the Petition Date* (the "Application") [D.I. 56, Case No. 23-10149].²

¹ The Debtor in this Chapter 11 case is Emergent Fidelity Technologies Ltd, a company formed under the laws of Antigua and Barbuda with registration number 17532 as identified by the Antigua and Barbuda Financial Services Regulatory Commission. The Debtor's principal place of business is Unit 3B, Bryson's Commercial Complex, Friars Hill Road, St. John's, Antigua and Barbuda.

² Capitalized terms used but not otherwise defined herein shall have the meaning as set forth in the Application.

4. As noted in my Declaration, Morgan Lewis completed a search of the material parties-in-interest identified by the Emergent Debtor on **Exhibit B-1** to my original Declaration. I further noted that subject to the outcome of the Joint Administration Motion, Morgan Lewis may need to expand its conflict search to the extent appropriate under the circumstances.

5. On March 14, 2023, the Court held a hearing on, among other things, the Joint Administration Motion and granted the Motion at the hearing. Upon issuing its rulings, the Court asked the parties to confer and submit orders incorporating the Court's rulings under certification of counsel.

6. In connection with the joint administration, Morgan Lewis expanded the parties-in-interest list and completed additional checks under my supervision. A list of the additional parties-in-interest is attached hereto as **Exhibit A**. All relevant matches between Morgan Lewis's Conflict Check System and the additional parties are identified on **Exhibit B**. **Exhibit C** includes certain additional disclosures regarding the Client Match List on **Exhibit B-2** of my original Declaration.

7. Morgan Lewis has represented in the past three years, or currently represents, and/or may represent in the future the entities listed on **Exhibit B** in matters unrelated to the Emergent Chapter 11 Case. I supervised an inquiry, where appropriate, of the respective Morgan Lewis personnel responsible for the current or former matters identified on **Exhibit B** to verify that Morgan Lewis does not represent or hold an interest adverse to the interests of the estate or otherwise in connection with the Emergent Debtor or the Emergent Chapter 11 Case.

8. Furthermore, in connection with my further diligence to assess any conflicts of interest and the firm's disinterestedness, I caused an e-mail to be sent to all attorneys at Morgan Lewis to verify whether any attorney has any connections to the Judges of this Court or the U.S. Trustee for Region 3 (Delaware Division). Based on that inquiry,

- Julia Blackburn Otero, an associate at Morgan Lewis, who is involved in representing the Emergent Debtor served as the Thomas L. Ambro fellow of 2018 for the Court. As the fellow, Ms. Blackburn Otero served as a judicial intern for Chief Judge Laurie Selber Silverstein, Judge Brendan L. Shannon, and Judge Mary F. Walrath.
- Robert L. Abramowitz, a partner at Morgan Lewis, who is not involved in representing the Emergent Debtor was involved in matters with Judge Ashley M. Chan at a time when Judge Chan was an associate at Morgan Lewis.
- Arielle H. Steinhart, an associate at Morgan Lewis, who is not involved in representing the Emergent Debtor served as a judicial intern for Judge Ashley M. Chan in the Eastern District of Pennsylvania.
- Jonathan D. Lotsoff, a partner at Morgan Lewis, who is not involved in representing the Emergent Debtor was involved in a matter in which Judge J. Kate Stickles was employed as local counsel for the same client.
- I, Craig A. Wolfe, a partner at Morgan Lewis, who is involved in representing the Emergent Debtor was involved while at a previous firm in multiple matters where Judge Kate J. Stickles was employed as local counsel for the same client.

9. I have received no other responses that would indicate any attorneys of Morgan Lewis have any connections with the Judges of the Court or the U.S. Trustee.

10. In further support of the Application, a true copy of the engagement letter (the “Engagement Letter”) referenced in paragraph 22 of my original Declaration is attached hereto as **Exhibit D.**

11. The scope of Morgan Lewis’ employment as counsel to the Debtor will be limited to advising the Debtor pursuant to the Proposed Order granting the relief sought in the Application.

12. If Morgan Lewis discovers any information that is contrary to or pertinent to any of the statements made herein, I will promptly disclose such information to the Court by filing and serving a supplemental declaration on the U.S. Trustee and all parties who have filed a notice of appearance in the Emergent Chapter 11 Case.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 6, 2023
New York, NY

Respectfully submitted,

/s/ Craig A. Wolfe
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